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Commissioner for Patents
PO Box 1450
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Re: U.S. Utility Patent Application
Application No. 10/587,143; I.A. Filed: January 19, 2005
For: **Powder Formulations**
Inventors: REIZLEIN *et al.*
Our Ref: 2400.0640000/VLC/L-Z

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. 1 page of PTO/SB/08A form listing 6 foreign patent documents;
3. 1 page of PTO/SB/08B form listing 3 non-patent literature documents; and
4. Copies of documents FP1 to FP6 and NPL1 to NPL3.

The above listed documents are filed electronically through EFS-Web.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Vincent L. Capuano
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Registration No. 42,385

VLC/L-Z/ice
Enclosures
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

REIZLEIN *et al.*

Appl. No.: 10/587,143

Int'l Filing Date: January 19, 2005

For: **Powder Formulations**

Confirmation No.: 4984

Art Unit: 1614

Examiner: *To be Assigned*

Atty. Docket: 2400.0640000/VLC/L-Z

**Information Disclosure Statement
under 37 C.F.R. § 1.97(b)**

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents **FP1** to **FP6** and **NPL1** to **NPL3** are submitted.

In accordance with 37 C.F.R. § 1.97(a)(3), Applicants' undersigned representative submits the following discussion of the relevance of the non-English language documents **FP1** and **FP4** to **FP6**, cited on Form PTO/SB/08A:

Document **FP4**, WO 01/17347 A1, is in the German language. An English language abstract of document FP4 can be found on the face page of the published patent application.

Document **FP6**, WO 03/105584 A1, is in the German language. An English language abstract of document FP6 can be found on the face page of the published patent application.

Documents **FP1** and **FP5** were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38. The search report is attached as document **NPL3** on the IDS Form, PTO/SB/08B.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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<div>Substitute for form 1449/PTO</div> <div>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</div> <div>(Use as many sheets as necessary)</div>				<div>Complete if Known</div>	
				Application Number	10/587,143
				Int'l Filing Date	January 19, 2005
				First Named Inventor	REIZLEIN, Karl
				Art Unit	1614
				Examiner Name	To be Assigned
				Attorney Docket Number	2400.0640000/VLC/L-Z
Sheet	1	of	1		

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FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country Code ² Number ⁴ Kind Code ⁵ (if known)			
	FP1	EP 0 050 784 A1	05/05/1982	Bayer AG	ISR
	FP2	EP 0 381 290 A2	08/08/1990	Shell Internationale Research Maatschappij B.V.	
	FP3	WO 99/00013 A2	01/07/1999	Monsanto Company	
	FP4	WO 01/17347 A1	03/15/2001	Bayer Aktiengesellschaft	Abs
	FP5	WO 03/056921 A1	07/17/2003	Bayer Cropscience AG	ISR
	FP6	WO 03/105584 A1	12/24/2003	Bayer Cropscience Aktiengesellschaft	Abs

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	10/587,143
				Int'l Filing Date	January 19, 2005
				First Named Inventor	REIZLEIN, Karl
				Art Unit	1614
				Examiner Name	To be Assigned
Sheet	1	of	1	Attorney Docket Number	2400.0640000/VLC/L-Z

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	NPL1	Patent Abstracts of Japan, English language abstract of JP 06-80505 A	
	NPL2	Patent Abstracts of Japan, English language abstract of JP 63-238007 A	
	NPL3	International Search Report for International Application No. PCT/EP2005/000474, European Patent Office, Netherlands, mailed on August 4, 2005	

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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